

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

ROGER LANDRESS; TEXAS SABAL,
INC., a Nevada corp.; and WILLIAM
POWELL,

Plaintiffs,

vs.

HIKO BELL MINING & OIL CO., and
ROBERT COVINGTON, et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER AMENDING JUDGMENT

Case No. 2:06-CV-734 TS

On May 27, 2009, Summary Judgment was entered in this case. Among other things, it provided:

For an Order approving the holding of a special shareholder meeting to elect new directors to the Company A copy of the approved proxy ballot for such meeting is attached hereto and incorporated as Exhibit "A."¹

Plaintiffs are further directed to submit to the Court, prior to distribution, the proposed proxy solicitation statements and notice for the proposed shareholder meeting and the Court retains continuing jurisdiction to approve,

¹Docket No. 90, ¶ 4 at 3.

amend and otherwise allow such proxy statement as it may deem appropriate.²

Upon consideration, the Court finds it improvident to have retained jurisdiction over the matter of approving proxy statements and ballots. Judgment having been entered, and the form of the proxy ballots having been approved pursuant to the Summary Judgment, it is unnecessary to have further court involvement in the matter of proxy statements and ballots. It is therefore

ORDERED that the May 27, 2009, Summary Judgment is AMENDED to delete the following provision:

Plaintiffs are further directed to submit to the Court, prior to distribution, the proposed proxy solicitation statements and notice for the proposed shareholder meeting and the Court retains continuing jurisdiction to approve, amend and otherwise allow such proxy statement as it may deem appropriate.³

DATED September 10, 2009.

BY THE COURT:



TED STEWART
United States District Judge

²*Id.* ¶ 4 at 3.

³*Id.* ¶ 4 at 3.